

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

BRENDA A. BOSLEY, et al.,

Plaintiffs,

v.

**CIVIL ACTION NO.: 3:07-CV-142
(JUDGE BAILEY)**

**COLONEL D.L. LEMMON,
SUPERINTENDENT OF THE WEST
VIRGINIA STATE POLICE, IN HIS
OFFICIAL CAPACITY, et al.,**

Defendants.

ORDER

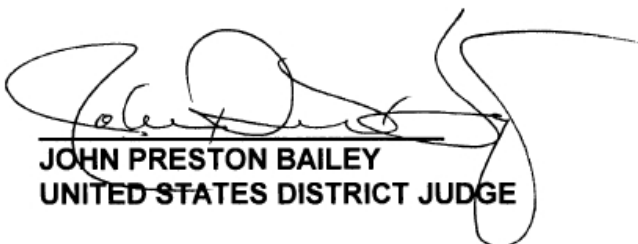
This matter is now before the Court for consideration of Plaintiffs' Motion to Invoke Legislative Stay on Time to File Motion for Fees [Doc. No. 37], filed on January 25, 2008. Plaintiffs seek to invoke a legislative stay pursuant to West Virginia Code § 4-1-17(b) until April 7, 2008, or fourteen (14) days after the Fourth Circuit Court of Appeals rules on the pending appeal in this case. Plaintiffs move for a stay so that they may complete and file a Motion for Attorney's Fees, after plaintiffs' counsel, John C. Yoder, has completed his duties in the West Virginia Legislature.

After careful review, the Court finds good cause to grant the Motion. Accordingly, the **Motion to Invoke Legislative Stay on Time to File Motion for Fees [Doc. No. 37]** is hereby **GRANTED**, and the running of time in which plaintiffs may file a Motion for Fees is **STAYED**. Plaintiffs shall have until **April 7, 2008**, or until fourteen (14) days after the Fourth Circuit rules on the pending appeal, in which to file a Motion for Fees.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this Order to counsel of record herein.

DATED: February 6, 2008.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE